

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> <b>038440-0124</b> U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unassigned 50030
INTERNATIONAL APPLICATION NO. PCT/JP2004/002040	INTERNATIONAL FILING DATE 2/20/2004	PRIORITY DATE CLAIMED 3/27/2003
<b>TITLE OF INVENTION</b> RADIO BASE STATION SYSTEM, CHANNEL ALLOCATION METHOD AND CHANNEL ALLOCATION PROGRAM		
<b>APPLICANT(S) FOR DO/EO/US</b> Tadayoshi ITO		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 to 20 below concern other document(s) or information included:</b>		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

10/536836

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Unassigned	INTERNATIONAL APPLICATION NO. PCT/JP2004/002040	ATTORNEY'S DOCKET NUMBER 038440-0124		
The following fees have been submitted:				
21. <input checked="" type="checkbox"/> Basic national fee \$300		\$ 300.00		
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200		\$ 200.00		
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500		\$ 500.00		
TOTAL OF ABOVE 21, 22 and 23 =		\$ 1000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$ for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra sheets /50 =	Number of each additional 50 or fraction thereof (round up to a whole number) x RATE		
34 - 100 =	0 /50 =	0 x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))		\$ 0.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	9 - 20 =	0	x \$ 50.00	\$ 0.00
Independent Claims	3 - 3 =	0	x \$ 200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$ 360.00	\$	
TOTAL OF ABOVE CALCULATIONS =		\$ 1000.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		+ \$ 0.00		
		SUBTOTAL =	\$ 1000.00	
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$		
TOTAL NATIONAL FEE =		\$ 1000.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property		\$ 40.00		
TOTAL FEES ENCLOSED =		\$ 1040.00		
		Amount to be refunded:		
		charged:		
a. <input checked="" type="checkbox"/> A check in the amount of \$1,000.00, and a check in the amount of \$40.00, to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Foley & Lardner LLP Customer Number: 22428				
 SIGNATURE <u>William T. Ellis</u> NAME <u>26,874</u> REGISTRATION NUMBER				

May 31, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of Tadayoshi Ito  
International Serial Number: PCT/JP2004/002040  
International Filing Date: February 20, 2004  
For: Radio Base Station System, Channel Allocation Method  
and Channel Allocation Program

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Yutaka Horii, residing at c/o Fukami Patent Office, Mitsui Sumitomo Bank  
Minamimorimachi Bldg., 1-29, Minamimorimachi 2-chome, Kita-ku, Osaka-shi,  
Osaka, Japan, declares:

- (1) that he knows well both the Japanese and English languages;
- (2) that he translated the above-identified International Application from Japanese to English;
- (3) that the attached English translation is a true and correct translation of the above-identified International Application to the best of his knowledge and belief and
- (4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 19th day of April, 2005

Translator's Signature:



Yutaka Horii